

**PERTAINING TO THE AMENDMENT OF THE 2019-2028 CALVERT COUNTY
COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN, AS AMENDED, TO
INCLUDE AN OFFICE BUILDING RECYCLING PLAN**

WHEREAS, pursuant to Maryland Annotated Code, Environment Article, Section 9-1703, the Board of County Commissioners of Calvert County, Maryland is directed to prepare and adopt a County recycling plan, which plan may be incorporated within the Solid Waste Management Plan theretofore adopted by Ordinance 45-18 on October 23, 2018 and entitled the 2019-2028 Calvert County Comprehensive Solid Waste Management Plan, as amended heretofore;

WHEREAS, the Department of Public Works has advised and recommended that the 2019-2028 Calvert County Comprehensive Solid Waste Management Plan be further amended to include provisions for an office building recycling plan, and impose obligations for recycling upon owners as set forth herein;

WHEREAS, the Calvert County Planning Commission discussed the proposed revisions to the Comprehensive Solid Waste Plan set forth herein on September 16, 2020 and found that the proposed revisions are consistent with the County's Comprehensive Plan;

WHEREAS, after due notice was published, the Board of County Commissioners conducted a public hearing on December 15, 2020, at which time the proposed revisions were discussed and public comment was solicited; and

WHEREAS, after considering the comments presented at the public hearing regarding the proposed revision and the recommendation of the Department of Public Works and the Planning Commission, and in furtherance of the of public health, safety and welfare, the Board of County Commissioners of Calvert County, Maryland finds it is in the best interest of the health, safety and welfare of the citizens of the County adopt the recommended revisions to the 2019-2028 Calvert County Comprehensive Solid Waste Management Plan as set forth herein.

NOW THEREFORE BE IT ORDAINED by the County Commissioners of Calvert County in the County of Calvert and State of Maryland that the 2019-2028 Calvert County Comprehensive Solid Waste Management Plan as follows:

1. The following is appended to Chapter 3, Page 3-5 with a corresponding update to the Table of Contents and page numbers and subsequent section numbering:

3.1.2.1 OFFICE BUILDING RECYCLING PLAN

Section 9-1714 of the *Environment Article* requires the collection of recyclable materials from Office Buildings 150,000 square feet or greater of office space. Each owner of an Office Building must provide, by October 1, 2021, recycling receptacles for the collection of paper and cardboard, metals, and plastic materials, and for the removal for further recycling of recyclable materials deposited into the recycling receptacles.

On and after October 1, 2021, owners of an Office Building are responsible for providing all containers necessary to fulfill recycling requirement throughout their buildings, as well as determining the collection schedule directly with the collection contractor. Distinctive colors or markings of recycling containers may be required to avoid cross contamination. Owners of an Office Building must ensure collection and transportation of recyclables materials from the Office Building to markets or tipping as commercial recycling. Owners and tenants will be responsible for placing recyclables in building recycling containers prior to their removal on the scheduled pick-up day.

On agreement between the owner(s) of an Office Building and the tenant of the Office Building, a tenant may carry out the recycling required hereunder.

2. The following is appended to APPENDIX A SUPPLEMENTAL INFORMATION Page (A-13-15) with a corresponding update to the Table of Contents and page numbers and subsequent section numbering:

OFFICE BUILDING RECYCLING PLAN

1. **Office Building**

A building that has 150,000 square feet or greater of office space.

2. **Collection and Marketing**

Office Building owners will be responsible for providing all containers necessary to fulfill recycling requirement throughout their buildings, as well as determining the collection schedule directly with the collection contractor. Distinctive colors and markings of recycling containers should be provided to avoid cross contamination. Office Building owners must ensure collection and transportation of recyclables materials from the Office Buildings locations to markets or tipping as commercial recycling. Owners and tenants will be responsible for placing recyclables in building recycling containers prior to their removal on the scheduled pick-up day.

3. **Stakeholders**

Stakeholders include the owners and tenants of applicable Office Buildings and Calvert County.

4. **Participants**

At the time of the implementation of this requirement, no buildings were identified. Calvert County Government is already participating in a County-sponsored recycling program.

Newly constructed or modified spaces that meet the definition of an Office Building shall begin participating in the Office Building recycling program within three months of being notified by a representative of Calvert County or municipality.

5. **Materials to be Recycled**

Recyclables designated for recycling at a minimum:

- Aluminum and steel cans; and
- Glass and plastic bottles, jugs and jars; and
- Mixed paper and cardboard.

6. Schedule of implementation

By October 1, 2021:

- Calvert County will distribute a copy of MDE-approved Office Building recycling plan to the owners of every Office Building regarding the Office Building recycling program. Office Building owners shall then begin to educate workers and tenants, as applicable, about the program and the requirements of the law;
- Owners of Office Building shall coordinate with the tenants, as applicable, to reach agreements as to which entity will be responsible for carrying out the Office Building recycling program; and
- Owners of Office Building shall provide recycling containers for the collections of recyclable materials.

On or before October 1, 2021, owners of an Office Building must have recycling services in place and operational in order to meet the requirements of the Office Building recycling program.

7. Program Monitoring

Monitoring of recyclable material containers shall be carried out by the Office Building owners and tenants.

Calvert County may require the Office Building owner, tenant, and collector to report to the County the metrics associated with the Office Building recycling program.

8. Enforcement

The County is not required to manage or enforce the recycling activities of an Office Building located within the boundaries of one of its municipalities; however an enforcement agent of the County or municipality may conduct inspections in order to enforce this program.

The Solid Waste Division will notify the owners of an Office Building of the implementation requirements in accordance with Sections 9-1703 and 9-1714 of the *Environment Article, Maryland Annotated Code*. Enforcement shall be in compliance with the Calvert County Code.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that in the event any portion of the 2019-2028 Calvert County Comprehensive Solid Waste Management Plan as amended and adopted hereby is found to be unconstitutional, illegal, null or void it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein; and

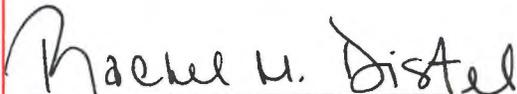
BE IT FURTHER ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that this Ordinance shall be effective upon recordation and publication of a fair summary and subsequent approval of the Maryland Department of the Environment pursuant to Section 9-507 of the *Environment Article*, Maryland Annotated Code.

DONE, this 15th day of December, 2020 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

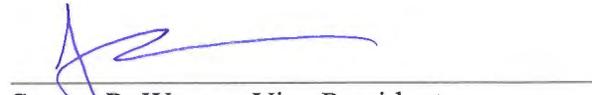
Aye: 5
Nay: 0
Absent/Abstain: 0

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**


Rachel M. Distel, Clerk


Earl F. Hance, President


Steven R. Weems, Vice President

Approved for form and legal sufficiency
by:


Mike Hart


John B. Norris, III, County Attorney


Thomas E. Hutchins

Received for Record..... 12/15....., 2020
3:41.....o'clock.....P.....M. Same day
Recorded in Liber KPS No. 62
Filed 328.....COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.


Kelly D. McConkey

